

TABLE OF CONTENTS

	<u>Page</u>
TABLE OF CONTENTS	i
TABLE OF AUTHORITIES	vi
I. INTRODUCTION	2
A. Status of Case	2
B. Format	3
II. STATEMENT OF FACTS	3
A. Background	3
B. Criminal Acts	6
1. Dutch Girl Dairy	6
2. Detroit Ranger Station	7
3. Oakridge Ranger Station	9
4. Cavel West	11
5. Burns BLM Wild Horse Corrals	14
6. USDA APHIS and ADC	16
7. Redwood Coast Trucking Company	19
8. Wayne Bare Trucking Company	20
9. Rock Springs BLM Wild Horse Corrals	21
10. Vail Ski Resort	23
11. U.S. Forest Industries	25

TABLE OF CONTENTS (cont.)

	<u>Page</u>
12. Childers Meat Company	28
13. Boise Cascade	30
14. BPA Transmission Tower	32
15. West University Public Safety Substation	34
16. Superior Lumber Company	36
17. Romania Chevrolet Truck Center	38
18. Jefferson Poplar Farm	40
19. University of Washington Horticulture Center	43
20. Litchfield BLM Wild Horse Corrals	45
III. APPLICABLE LAW AND SENTENCING GUIDELINES	48
A. Maximum Penalties	48
1. Conspiracy	48
2. Arson or Attempted Arson	48
3. Destruction of Energy Facility	48
B. Sentencing Guidelines	48
1. Offense Conduct	48
a. Conspiracy	48
b. Arson	49
c. Destruction of an Energy Facility	49

TABLE OF CONTENTS (cont.)

	<u>Page</u>
2. Terrorism Adjustment	50
a. History of U.S.S.G. § 3A1.4	53
b. Applicable Case Law	55
c. Application to Individual Offenses	59
(1) Oakridge Ranger Station	60
(2) Burns BLM Wild Horse Corrals	60
(3) Rock Springs BLM Wild Horse Corrals	61
(4) Litchfield BLM Wild Horse Corrals	61
(5) BPA Transmission Tower	61
(6) Cavel West	62
(7) Vail Ski Resort	62
(8) West University Public Safety Substation	63
(9) U.S. Forest Industries	64
(10) Boise Cascade	64
(11) Superior Lumber Company	64
(12) Romania Chevrolet Truck Center	65
(13) Jefferson Poplar Farm	66
(14) University of Washington	66

TABLE OF CONTENTS (cont.)

	<u>Page</u>
d. Application to Individual Defendants	67
(1) Stanislas Gregory Meyerhoff	68
(2) Kevin Tubbs	68
(3) Chelsea Dawn Gerlach	68
(4) Daniel Gerard McGowan	69
(5) Nathan Fraser Block	69
(6) Joyanna L. Zacher	69
(7) Suzanne Savoie	69
(8) Kendall Tankersley	70
(9) Jonathan Paul	70
(10) Darren Todd Thurston	70
e. Upward Departure as an Alternative	71
3. Departure for Substantial Assistance	73
4. Other Factors	74
IV. INDIVIDUAL DEFENDANTS	74
1. William Christopher Rodgers (deceased)	74
2. Stanislas Gregory Meyerhoff	77
3. Kevin Tubbs	84
4. Chelsea Dawn Gerlach	90
5. Daniel Gerard McGowan	97

TABLE OF CONTENTS (cont.)

	<u>Page</u>
6. Nathan Fraser Block	109
7. Joyanna L. Zacher	115
8. Jennifer Lynn Kolar	120
9. Suzanne Nicole Savoie	123
10. Kendall Tankersley	127
11. Darren Todd Thurston	131
12. Jonathan Mark Christopher Paul	140